

#22

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of
Hill et al.

Examiner: L. S. Cohen

For: **HELICALLY SHAPED
ELECTROPHYSIOLOGY
CATHETER**

Group Art Unit: 3739

Serial No.: 09/847,181

**DECLARATION UNDER 37 C.F.R.
\$1.131**

Filed: May 1, 2001

Atty. Docket No.: R0370-02300

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this these papers are being sent by facsimile to (703) 872-9302, addressed to Examiner Lee S. Cohen,
at Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,
on March 5, 2004, by San Francisco, CA

Anne Marie Leary
Anne Marie Leary

BEST AVAILABLE COPY

DECLARATION OF EDWARD J. LYNCH

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Edward J. Lynch, depose and say that:

1. I am an attorney representing the assignee Cardima Inc. in the above identified application.
2. A draft of the above identified application disclosing the invention claimed in the above identified application was prepared in the United States and forwarded to the inventors for review prior to April 10, 2001, the filing date of U.S. Publication No. 2001/0020174 (Koblisch). A copy of the cover letter submitting the application to the

inventors and a copy of the draft application returned from the inventors with comments are attached hereto as Exhibit A.

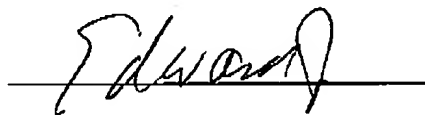
3. A letter dated April 19, 2001, indicated that a second copy of the draft application was sent to the inventors for review.

4. An e-mail sent April 23, 2001 from Eric Chan to Priscilla Mark indicates that changes requested in the application.

5. From a date prior to April 10, 2001 until May 1, 2001, the date the above identified application Serial No. 07/000,653 was filed, diligence was exercised in preparing and forwarding a draft of the application to the inventors for review.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above identified application or any patent issued thereon.

Date: March 5, 2004


Edward J. Lynch